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U.S. MAGISTRATE JUDGE

BY _____

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oO-

UNITED STATES OF AMERICA,

11 Plaintiff

12 v.

13 ASHOK KUMAR SEHDEV and
14 JOSE LUIS MONTOYA,

15 Defendants.

2:17-mj-683-CWH

CRIMINAL COMPLAINT

Violations:

18 U.S.C. § 1201(c), – Conspiracy to
Commit Kidnapping

17 BEFORE a United States Magistrate Judge of the United States District Court
18 for the District of Nevada, the undersigned Complainant, being duly sworn, deposes
19 and states:

20 COUNT ONE
21 CONSPIRACY TO COMMIT KIDNAPPING

22 Beginning on a date unknown and to on or about June 22, 2017, in the state
23 and federal District of Nevada, ASHOK KUMAR SEHDEV and JOSE LUIS

24

1 **MONTOYA**, defendants herein, knowingly and willfully combine, conspire and agree
2 together and with other persons known and unknown to unlawfully kidnap VICTIM 1
3 and VICTIM 2 and hold them for ransom, reward, or otherwise, and willfully transport
4 them in interstate commerce from the State and Federal District of Nevada to the
5 country of Mexico. All in violation of 18 U.S.C. § 1201(c).

PROBABLE CAUSE AFFIDAVIT

7 Complainant, Ryan S. Burke, as a Special Agent with the Federal Bureau of
8 Investigation (hereafter, "FBI"), states the following as and for probable cause:

9 1. Complainant has been employed as a Special Agent with the FBI since
10 October 2012. Currently, Complainant is assigned to the FBI Las Vegas Safe Streets
11 Gang Task Force (hereafter, "SSGTF") and is responsible for investigating violent
12 crimes including but not limited to drug trafficking, kidnapping, extortion, robbery,
13 firearms offenses, as well as investigations into the activities and operations of
14 criminal enterprises. Your Complainant has experience in conducting criminal
15 investigations, including the investigation of criminal groups and conspiracies, as well
 as the collection of evidence and the identification and use of witnesses.

16
17 2. The information used to support this Complaint was derived from the
18 statements of witnesses; physical observations made by law enforcement; and
19 consensually recorded conversations with the defendants. This Complaint contains
20 information necessary to support probable cause to believe that the criminal offenses
21 described herein were committed by the defendants, **ASHOK KUMAR SEHDEV** and
JOSE LUIS MONTOYA, and is not intended to include each and every fact and

1 matter observed by your Complainant or known to the Government. Moreover, to the
2 extent that this Complaint contains statements by witnesses, those statements are set
3 forth only in part and in substance and are intended to accurately convey the
4 information, but not to be verbatim recitations.

5 **FACTS ESTABLISHING PROBABLE CAUSE**

6 3. On June 9, 2017, a person (hereinafter "PR" for person reporting) called
7 the North Las Vegas Police Department (hereinafter "NLVPD") to report that the PR
8 was aware of an imminent kidnapping plot that would be carried out by MONTOYA
9 on behalf of SEHDEV. The PR kept in contact with law enforcement and informed
10 investigators that SEHDEV had offered to pay MONTOYA a significant amount of
11 money to kidnap two individuals located in Las Vegas, Nevada and transport them to
12 Mexico against their will. The PR was purportedly aware of this information because
13 MONTOYA attempted to recruit two close associates of the PR to assist with the
14 kidnapping. Soon after receiving this information, NLVPD referred the case to the
15 FBI SSGTF for further investigation.

16 4. On June 22, 2017, investigators interviewed one of the close associates of
17 the reporting person (hereinafter "CW-1") that had been approached by MONTOYA to
18 assist with the kidnapping. CW-1 informed investigators that MONTOYA asked
19 him/her to assist with the kidnapping of a person identified herein as "Victim 1" and
20 Victim 1's motion, hereinafter referred to as "Victim 2." The kidnapping request was
21 made on behalf of an Arabian man referred to by MONTOYA as "Shook" (later
22 identified as SEHDEV). MONTOYA told CW-1 that he met SEHDEV through a friend
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1 later identified herein as "CV." SEHDEV allegedly offered to pay MONTOYA between
2 \$10,000 and \$15,000 to take the VICTIMS 1 and 2 from Las Vegas, Nevada to Mexico
3 against their will. MONTOYA informed CW-1 he planned to befriend VICTIM 1 and
4 then surreptitiously force him to consume a significant amount of sleeping pills in
5 order to facilitate the kidnapping. Subsequently, MONTOYA planned to contact
6 VICTIM 2 to alert her of her son's "medical issue" so that he could also surreptitiously
7 force her to consumer a significant amount of sleeping pills. CW-1 had discussed the
8 kidnapping with MONTOYA as recently as a few days prior to his/her interview with
9 the FBI. Additionally, CW-1 heard through an associate that SEHDEV had already
10 provided MONTOYA with a vehicle as a partial pre-payment for the kidnapping.

11 5. Also on June 22, 2017, investigators decided to interview MONTOYA.
12 Although MONTOYA voluntarily agreed to speak with investigators, he was still
13 informed of his rights according to the FBI FD-395 "Advice of Rights" form, which he
14 signed before providing a statement to investigators. MONTOYA stated he met
15 SEHDEV at CV's house in late 2016 or early 2017. In approximately May 2017,
16 SEHDEV asked MONTOYA to kidnap the two victims and take them to Mexico.
17 MONTOYA stated he also received a vehicle from SEHDEV around this time, but
18 insisted he purchased it from him and it was not an advance payment for the
19 kidnapping. SEHDEV eventually provided MONTOYA with a piece of paper containing
20 VICTIM 1's name and address, which MONTOYA provided to the FBI, and also
21 showed video footage of VICTIM 1 from a CCTV system to MONTOYA. Soon after,
22 MONTOYA personally informed SEHDEV he would conduct the kidnapping for him.
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1 SEHDEV believed both victims were illegal aliens and hoped they would not be able to
2 return to the United States if he paid MONTOYA to bring them to Mexico. SEHDEV
3 was supposedly upset with VICTIM 1 because he stole money from SEHDEV.
4 SEHDEV wanted VICTIM 2 kidnapped as well so VICTIM 1 would not have anyone to
5 call in the United States after being kidnapped and taken to Mexico. Upon
6 transporting the victims to Mexico, MONTOYA was instructed by SEHDEV to keep
7 possession of them so he could travel there and instruct them never return to the
8 United States.

9 6. MONTOYA eventually drove by the VICTIMS' residence to begin
10 developing a strategy to execute the kidnapping. He admitted to receiving instruction
11 from SEHDEV to befriend VICTIM 1 and use sleeping pills to facilitate the
12 kidnapping. MONTOYA was reluctant to provide specifics about the amount of money
13 he would receive for carrying out the kidnapping, but stated at one point that he would
14 receive at least \$5,000 from SEHDEV. Although contrary to the initial reporting
15 person's statements and CW-1's statements, MONTOYA insisted that he informed
16 SEHDEV in the beginning of June 2017 that he was no longer interested in carrying
17 out the kidnapping. However, when questioned why MONTOYA retained the piece of
18 paper containing VICTIM 1's information and why CW-1 made statements about being
19 recruited as recently as a few days prior, MONTOYA could provide no explanation.

20 7. MONTOYA was requested by your Complainant and agreed to
21 consensually record an in-person meeting with SEHDEV to discuss the kidnapping. On
22 June 23, 2017, MONTOYA utilized a concealed audio recorder to record a meeting
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1 between him and SEHDEV at CV's residence. The meeting took place at
2 VELASQUEZ's residence because that was where SEHDEV felt most comfortable
3 discussing the kidnapping plot. During the meeting, SEHDEV reiterated to
4 MONTOYA that he would pay him \$24,000 to kidnap and transport both VICTIMS to
5 Mexico. SEHDEV also discussed the option of simply killing VICTIM 1 so they did not
6 have to deal with a second victim. As instructed, the meeting concluded with
7 MONTOYA informing SEHDEV that he would finish formulating his plan in the
8 coming days and recontact SEHDEV when he was ready to execute the kidnapping.

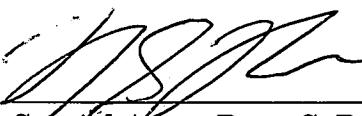
8. On June 27, 2017, investigators instructed MONTOYA to contact
9 SEHDEV on his cellular phone to arrange a meeting between MONTOYA and his
10 partner with SEHDEV. SEHDEV invited MONTOYA and his partner, an FBI
11 Confidential Human Source (hereinafter "CHS"), to the motel he owned in North Las
12 Vegas, Nevada. MONTOYA and the CHS then met with SEHDEV at his motel to
13 discuss the kidnapping. The meeting was audio and video recorded by the CHS. During
14 the meeting, SEHDEV reiterated his desire to have the victims kidnapped and taken to
15 Mexico. He also reiterated holding the VICTIMS against their will in Mexico until
16 SEHDEV could travel there to meet with the VICTIMS. SEHDEV confirmed his
17 willingness to pay MONTOYA and the CHS \$24,000 to execute the kidnapping.
18 SEHDEV then drove MONTOYA and the CHS to the victims' residence so the CHS
19 was familiar with where the victims lived. While driving by their residence, VICTIM 2
20 was outside so SEHDEV pointed her out to MONTOYA and the CHS.

21 9. SEHDEV also informed MONTOYA and the CHS that he would pay for a
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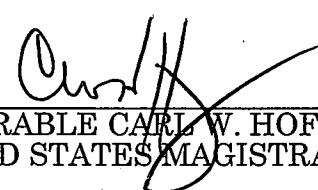
1 rental car that they could use for the kidnapping. They agreed to meet at
2 VELASQUEZ's residence on July 1, 2017 at 10:30 a.m. so SEHDEV could provide them
3 with \$2,000 for the rental car. SEHDEV was informed by the CHS that after receiving
4 the money for the rental car, the CHS and MONTOYA would execute the kidnapping
5 as soon as possible. SEHDEV acknowledged and supported the CHS's intentions.

6 10. Based on your Complainant's training and experience, he has a
7 reasonable belief that the defendants conspired to commit kidnapping and conspired to
8 kidnap persons in a foreign country. Additionally, as evidenced above, overt acts were
9 conducted for the purpose of effecting the objects of both conspiracies.

10 9. Based on my training and experience there is probable cause to believe that
11 the defendants violated 18 U.S.C. §§ 1201(c).

12 
13 Special Agent Ryan S. Burke
14 Federal Bureau of Investigation

15
16 SUBSCRIBED and SWORN to before me
17 This 30th day of June, 2017.
18

19 
20 HONORABLE CARL W. HOFFMAN
21 UNITED STATES MAGISTRATE JUDGE
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